

DOCKET NO: 284856US6X PCT

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
CHIKARA TAKAGI, ET AL. : EXAMINER: HUDA, S.
SERIAL NO: 10/565,680 :
FILED: JANUARY 24, 2006 : GROUP ART UNIT: 1791
FOR: TIRE VULCANIZING METHOD :
AND VULCANIZER FOR PERFORMING
THE METHOD

RESPONSE TO RESTRICTION/ELECTION REQUIREMENT

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

In response to the Restriction Requirement mailed November 6, 2008, Applicants hereby elect Group II, Claims 13 and 14. This election is made with traverse.

It is respectfully submitted that the subject matter of all claims 12-22 is sufficiently related that a thorough search for the subject matter of any one group of claims would necessarily encompass a search for the subject matter of the remaining claims. For example, Group II (independent Claim 13) and Group III (independent Claim 15) are not only common to a vertical vulcanization but also common in using a centering shaft 81. These independent claims are new and non-obvious in this respect and thus, at least Groups II and III should be treated as the same group.

Thus, it is respectfully submitted that the search and examination of the entire application could be performed without serious burden. MPEP §803 states that if the search and examination of an entire application can be made without serious burden, the Examiner


must examine it on the merits, even though it includes claims to distinct or independent inventions. It is respectfully submitted that this policy should apply in the present application in order to avoid unnecessary delay and expense to Applicants and duplicative examination by the Patent Office.

With respect to the discussed reference US Patent No. 5,486,319 to Stone, Stone does not teach a centering shaft as recited in Claims 13 and 15. That is, the center post 32 in Stone is secured to the upper bead clamping assembly 26 and is a mere drive shaft for moving the upper bead clamping assembly 26 up and down relative to the lower bead clamping assembly 25. Please see column 5, second paragraph. Accordingly, unlike the centering shaft 81 of the present invention, the center post 32 in Stone does not perform centering of both bead clamping assemblies 26, 25 relative to the upper and lower molds 15, 16. That is, unlike the present application, Stone does not teach a technical concept of centering the both bead clamping assemblies 26, 25 relative to the upper and lower molds 15, 16.

The Examiner is respectfully requested to reconsider and withdraw the Restriction Requirement and to examine all claims in this application.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Gregory J. Maier
Attorney of Record
Registration No. 25,599

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 08/07)

Kevin M. McKinley
Registration No. 43,794